The Trial of Davis.

From the Albeny Argue.

The trial of Jefferson Davis for treason is determined upon, and will take place at Richmond. Attorney General Speed will be assisted by Wm. M. Evarts of New York, and Judge Clifford of Massachusetts, in conducting the prosecution. Charles Connor and Ransom H. Gillett, of this State, will defend the prisoner. Mr. Gillett, formerly of St. Lawrence, in this State, was Solicitor of the Treasury under the administration of Pierce, and has resided much at Washington, where he is recognized as among the foremost practitioners in the Federal Courts. He has a summer residence at New Lebanon, Co-Limbia county, in this State.

"Treason against the United States," according to the Constitution, "shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort;" and if he Constitution had spoken no further, the guilt of the great Confederate chieftain and his conviction might be clear enough. Charges, convictions and executions for treason had been the crime of English History for centuries. The wars of rhe Roses and the religious wars had numbered tens of thousands of victime. If Henry VIII wanted to sacrifice a wife, he made her crime treason, and any pretense of proof Elizabeth, and James and Charles, followed the evil example. -The Puritan Cromwell was not behind his prodecessors; and the effeminate reign of the warring Stuarts was rife with plots and red with blood of Whatever the monarch or the party in power chose to regard as treason, was treason; and all the rules of evidence were disregarded in securing convictions. The punishments inflicted showed the vindictive character of the English law; and men live to-day who have seen the heads of the Scottish lairds who fought for the pretender, grinning in ghastly decay on the gates of the London Temple.— The cruelty of the law is still pre-served in its letter, and survives its spirit. It is but a few years ago that an Irish rebel was sentenced by an English Judge to be hung, and his body quartered, with all the revolting incidents of a barbarous age. These atrocities were not carried into effect; but they showed that the cruel characteristics of the law still inhered to the the statute after the age had grown civilized and softened.

Against all this cruelty, against the fell spirit that treated the State as infallible, and all who doubted it as condemned, and above all against the looseness of evidence upon which convictions were secured, the liberal men of England, and indeed of all Europe, protested. They fought a great battle against the Crown and Court and won it. In England the Bill of Rights protected the subject against NEW the tyranny of power. By long fighting the battles of the oppressed they almost became enamored of rebels.— Under that name, Hampden and Sidney had died; and a noble host of martyrs to civil and religious liberty had perished.
"Rebellion," said one of the lead-

ng spirits in the British Parliament, "rebellion, sir, is part of the common law of England." And Jefferson, in one of his letters, expresses the hope LATEST that no century would pass without a a rebellion, to keep alive the spirit of liberty in the peopl

Every man who fought in the Revolution was a conscious rebel. John A Hancock made his bold signature in the spirit of defiance; and Charles Carroll, of Carrollton, gave that full designation, so that, the good cause failing, the law when it came to seize its victims should not mistake the man. When these rebels came to make a Constitution, their first care was to consist only in waging war, &c. No reported confessions were to be accepted as evidence; but only "confession in open court." There must be "overt acts," and for every overt act two witnesses. The trial was to be had within the State where the offence was committed-and to this, the amendment to the Constitution added the requirement of an impartial jury in the State and District where the crime shall have been committed .-The device of an attainder of blood was abolished; and other safeguards were placed about the accused which, intended to render tyranny tmpossible, have made the course of justice difficult. There was one thing that the men of 1798 were determined upon, vize that if any one were ever indicted for treason, he should have a fair chance to escape. If there are loop-holes in the law, they were made intentionally by those old rebels, for the benefit of their successors in all time to come.
It is a matter of regret that this

great State trial which is soon to be placed upon the records of our national history, and form part of the great traditions of civil conflicts, and become one of the great precedents of law, should have such an unworthy commencement. Judge Underwood, one of that spurious judiciary created in the course of illegitimate faction, made a stump speech to the Grand Jury, which was disgraceful even as a specimen of the oratory of the stump; and upon this instigation, and we know not what other base arts, the indictment was procured.

All other parties to the great civic drama are far ebove this level of basenoss. The accused, the Chief Justice, the prosecuting connsel, and the law-yers for the defense, and the Presi-dent who is to execute or modify the sentence of the Court, all these are men capable of playing the great part assigned to them. The more's the pity the prologue was given to a mountebank to rehearse.

A French Journal says that Ireland furnishes the chief portion of the false plaits worn nowadays by the Parisan ladies, and if the Carps Legislatif would only bring in a bill for putting on the impertation of Irish hair into the empire, France might, without damageing her budget, abolish stampduty on newspapers. duty on newspapers.

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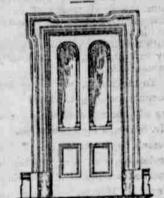
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